

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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| <p>In re:</p> <p>NationsRent, Inc., et al.,¹</p> <p style="text-align: center;">Debtors.</p> | <p>Case Nos. 01-11628 through 01-11639 (PJW)</p> <p>Jointly Administered</p> <p>Chapter 11</p> |
| <p>NationsRent Unsecured Creditor's Liquidating Trust, Perry Mandarino, not personally, but as Trustee</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>3-D/Costal Oil Company</p> <p>4 Star Air Hydraulics & Ind.</p> <p>Action Tire Company</p> <p>ADA Resources Inc.</p> <p>Advanced Tire Inc.</p> <p>Ael Leasing Co., Inc.</p> <p>Agovino & Asselta, LLP</p> <p>Airdyne Management Inc.</p> <p>Allen Oil Company of Sylacauga, Inc.¹</p> <p>Alternators Unlimited Reb.</p> <p>A.O.K. Tire Mart II, Inc.</p> <p>Archie's Truck Service</p> <p>Arrow Master, Inc.</p> <p>ASAP Equipment Rental & Sales</p> <p>Authorized Equipment, Inc.</p> | <p>District Court Case Nos. (KAJ):</p> <p>04-CV-1033</p> <p>04-CV-1030</p> <p>04-CV-1031</p> <p>04-CV-976</p> <p>04-CV-713</p> <p>04-CV-767</p> <p>04-CV-1035</p> <p>04-CV-714</p> <p>04-CV-801</p> <p>04-CV-988</p> <p>04-CV-766</p> <p>04-CV-1158</p> <p>04-CV-1160</p> <p>04-CV-716</p> <p>04-CV-784</p> |

¹ NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

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| Bay Counties Pitcock Petroleum Inc. | 04-CV-1060 |
| Black & Veatch Constr. | 04-CV-1039 |
| Blue Ribbon Tire Co., Inc. | 04-CV-721 |
| Bobcat Company | 04-CV-1026 |
| Bradenton Fuel Oil, Inc. | 04-CV-1037 |
| Burch-Lowe, Inc. | 04-CV-1076 |
| Carruth-Doggett Industries, Inc. | 04-CV-723 |
| C.G.& E. | 04-CV-802 |
| Central Tire | 04-CV-995 |
| Cintas Corp. #318, Cintas Corporation No. 2 | 04-CV-996 |
| CMD Group | 04-CV-726 |
| Coleman Engineering | 04-CV-1148 |
| Collision Pro | 04-CV-1149 |
| Columbus Equipment Company | 04-CV-998 |
| Columbus McKinnon Corp. | 04-CV-999 |
| Commercial Tire Inc. | 04-CV-806 |
| Construction Machinery, Inc. | 04-CV-1142 |
| Contractors Machinery Co. Inc. | 04-CV-795 |
| Corporate Express | 04-CV-1001 |
| Cowin Equipment Company, Inc. | 04-CV-728 |
| Creative Financial Staffing | 04-CV-1021 |
| Crosscheck, Inc. | 04-CV-732 |
| Cyrk, Inc. a/k/a Cyrk Acquisition | 04-CV-734 |
| Delta BCX Printing | 04-CV-1167 |
| Delta Formost Chemical Corporation | 04-CV-1170 |
| Diamant Boart Inc. | 04-CV-1104 |
| Diamond Hydraulics | 04-CV-1106 |
| Diamond J. Transport, Inc. | 04-CV-787 |

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| Diversified Credit Service | 04-CV-1096 |
| Don's Tire Service, Inc. | 04-CV-1106 |
| Dorris Cleaning | 04-CV-1111 |
| Doskocil Industries, Inc. | 04-CV-1150 |
| Dossey Holdings, Inc. | 04-CV-1155 |
| Double A | 04-CV-1153 |
| Douglass Distributing | 04-CV-1114 |
| Dutchess Forging | 04-CV-1117 |
| Ebusiness Technology partners, Inc., f/k/a PSR Professional Staffing, Inc. | 04-CV-747 |
| Ed Hart | 04-CV-975 |
| EJ Reynolds, Inc. | 04-CV-722 |
| Equipment Development Co., Inc. | 04-CV-1128 |
| Equiptechs, Inc. | 04-CV-789 |
| Falcon Power | 04-CV-1130 |
| Fischer Group | 04-CV-1141 |
| FL Hydraulic Machinery | 04-CV-725 |
| Fleetwing Corp. | 04-CV-1151 |
| Fluid Tech Hydraulics, Inc. | 04-CV-1154 |
| GCR Pensacola Truck Tire Ctr. | 04-CV-730 |
| Gene Jackson Tire Co. | 04-CV-1049 |
| GFC Leasing | 04-CV-1051 |
| GMR Marketing LLC | 04-CV-731 |
| Goodyear Commercial Tire & Service Center | 04-CV-733 |
| GSR Construction, Inc. | 04-CV-768 |
| Gullo Ford Mercury | 04-CV-769 |
| Harbor Graphics Corporation | 04-CV-1007 |
| Harte-Hanks | 04-CV-739 |

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| Hick's Petroleum Distributors, Inc. | 04-CV-770 |
| Hindley Electronics, Inc. | 04-CV-1013 |
| Holt Equipment Company Co., LLC | 04-CV-772 |
| Hunt & Sons | 04-CV-1019 |
| Husqvarna Forest & Garden | 04-CV-1176 |
| ID Technologies, Inc. | 04-CV-1043 |
| Igloo Products Corp. | 04-CV-1042 |
| Illuminating Company | 04-CV-1070 |
| Industrial Hydraulics | 04-CV-1075 |
| Ingram Trucking LLC | 04-CV-744 |
| BBF, Ltd | 04-CV-800 |
| JAM Distributing Company | 04-CV-1123 |
| J&B Auto Supply, Inc. | 04-CV-1162 |
| Jeff Falkanger & Associates | 04-CV-1184 |
| Jimmy's Garage | 04-CV-1080 |
| Joe Jeter Sales | 04-CV-981 |
| John Ray and Sons Inc. | 04-CV-774 |
| Kent Demolition Tools | 04-CV-987 |
| Keson Industries Inc. | 04-CV-1116 |
| Kforce.com Inc. | 04-CV-745 |
| L&P Financial Services | 04-CV-1165 |
| Laclede Chain Mfg. Co. | 04-CV-1086 |
| Land & Sea Petroleum, Inc. | 04-CV-993 |
| Lionudakis Wood & Green Waste | 04-CV-1091 |
| Little Beaver, Inc. | 04-CV-997 |
| Lockhart Tire | 04-CV-1062 |
| M & D Distributors | 04-CV-1172 |
| M.P. Brine Inc. | 04-CV-783 |

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| Maxim Group | 04-CV-757 |
| Maxout Sourcing Services | 04-CV-758 |
| Metso Minerals Industries, Inc. | 04-CV-1011 |
| Miller Bros Giant Tire Service- Jacksonville, Inc. | 04-CV-1178 |
| The Miller Spreader Co. | 04-CV-1008 |
| Mission Critical System, Inc. | 04-CV-1014 |
| Mobile Products, Inc. | 04-CV-1186 |
| Mobile Storage Group, Inc. | 04-CV-1028 |
| Morgan Auto Supply Co. | 04-CV-1191 |
| Morgan Guaranty Trust Company of New York | 04-CV-1192 |
| Morgan Marshall Industries Inc. | 04-CV-763 |
| Multiquip Inc. | 04-CV-1025 |
| Mutual Industries | 04-CV-737 |
| Naab Consulting Corp. | 04-CV-1027 |
| Nabors Radiator & Electric | 04-CV-738 |
| NACM | 04-CV-1067 |
| NAPA Auto Parts, National Automotive Parts Association | 04-CV-1041 |
| Napa Auto Parts of Franklin | 04-CV-1073 |
| Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor | 04-CV-1063 |
| Neff Rental Inc. | 04-CV-785 |
| Nickey Petroleum Co. Inc. | 04-CV-1085 |
| Nortrax Equipment Co. SE, LLC | 04-CV-1045 |
| Nortrax Equipment Co. South LA | 04-CV-1044 |
| Nortrax NE LLC | 04-CV-1064 |
| NSTAR Electric & Gas Corporation | 04-CV-1066 |

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| Office Management Systems Inc. | 04-CV-742 |
| Olsen Tire | 04-CV-792 |
| Original Equipment Replacement Parts, Inc. | 04-CV-777 |
| Orlando Industrial Contractors | 04-CV-776 |
| OTR Tire & Supply Co. | 04-CV-1088 |
| Overland Machinery Co. | 04-CV-1089 |
| Pacific Century LSG #449 | 04-CV-1074 |
| Palmer Distributing & Sales | 04-CV-1055 |
| Parkway Truck Sales, Inc. | 04-CV-781 |
| Partner Industrial Products | 04-CV-1047 |
| Parts Associates | 04-CV-1056 |
| Penick, Parr & Associates | 04-CV-1092 |
| Peterson Tire Inc. | 04-CV-1061 |
| Pipeline Supply & Service | 04-CV-1098 |
| Pratt & Whitney Canada, Inc. | 04-CV-786 |
| Pro Chem Cleaning | 04-CV-1108 |
| Progressive Tractor Corp. | 04-CV-791 |
| Promotion Solution Inc. | 04-CV-790 |
| Quick Corner CITGO | 04-CV-1119 |
| Reeder Distributors Inc. | 04-CV-749 |
| Relizon | 04-CV-750 |
| Rentlink Inc. | 04-CV-1054 |
| Rhode Island Tire Co. Inc. | 04-CV-1032 |
| Rish Equipment Company | 04-CV-796 |
| Robertson Fleet Service Inc. | 04-CV-1029 |
| S&D Tire Inc. | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753 |

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| Sanford Auto & Truck Parts | 04-CV-1140 |
| Scotty's Oil Company, Inc. | 04-CV-755 |
| Sellers Petroleum Products Inc. | 04-CV-1109 |
| Sensormatic Electronics Corp. | 04-CV-1169 |
| Services & Materials, Co. | 04-CV-1171 |
| Sherwin-Williams | 04-CV-754 |
| SB Power Tool Corp. | 04-CV-1174 |
| Soco Group | 04-CV-1159 |
| Son Coast, Hauling, CCC | 04-CV-1077 |
| Southeastern Crane | 04-CV-799 |
| Southern Energy Company | 04-CV-1084 |
| Southern Linc | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble | 04-CV-1094 |
| Speedway New Holland | 04-CV-1100 |
| Staffing Master.com | 04-CV-1113 |
| Star Tire Company Inc. | 04-CV-1050 |
| Sterling Truck of Utah | 04-CV-1102 |
| Stihl Inc. National Accounts | 04-CV-1180 |
| Stone Construction Equipment Inc. | 04-CV-1183 |
| Sullivan Palatek Inc. | 04-CV-1052 |
| Sun Coast Resources Inc. | 04-CV-1188 |
| Tacony Corporation | 04-CV-808 |
| Terex Aerials, Inc. d/b/a Terex Cranes | 04-CV-973 |
| Texana Machinery Corp. | 04-CV-805 |
| Tex Con Oil Company | 04-CV-1120 |
| Tioga Inc. | 04-CV-1129 |
| TIP Dept 0501 | 04-CV-1131 |
| Tire Centers LLC | 04-CV-1133 |

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| TMP Worldwide Inc. also known as Monster Worldwide, Inc. | 04-CV-986 |
| Triton Transport Inc | 04-CV-1196 |
| Truck Lease Corp. | 04-CV-1198 |
| Truck PM Corporation | 04-CV-1002 |
| Tsurumi (America) Inc. | 04-CV-1005 |
| Tullo Truck Stop | 04-CV-1138 |
| Unifirst Corp. | 04-CV-1139 |
| Uniontools, Inc. | 04-CV-1009 |
| US Imaging Solutions | 04-CV-1012 |
| US Market Inc. | 04-CV-740 |
| Valley Rubber & Gasket | 04-CV-1144 |
| Valley Tire Co., Inc. | 04-CV-1194 |
| The Valvoline Company | 04-CV-759 |
| Vector Security Inc | 04-CV-1197 |
| Vermeer Equipment of Texas Inc. | 04-CV-1166 |
| Vermeer Northeast | 04-CV-1175 |
| Vermeer of Tennessee, Inc. | 04-CV-1071 |
| Vermeer Sales & Service of Colorado, Inc. | 04-CV-1112 |
| Vermeer Sales and Service of Southern Ohio, Inc. | 04-CV-1107 |
| Vermeer Sales of Texas Inc. | 04-CV-1189 |
| Vickers & Asso, Inc. | 04-CV-1079 |
| Vic's Tire Service | 04-CV-804 |
| Viking Oil | 04-CV-1081 |
| Voltech Company | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc. | 04-CV-1179 |
| Worcester Truck Body Co., Inc. | 04-CV-1168 |

World Wide Welding & Press Inc.
Defendants.

04-CV-1103

**CERTIFICATION OF COUNSEL REGARDING ORDER: (I) SETTING
PROCEDURES TO FACILITATE SETTLEMENT
OF THE ABOVE-CAPTIONED ADVERSARY PROCEEDINGS,
AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M. AS A
STATUS/SCHEDULING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

I, Mary E. Augustine, Esq. of The Bayard Firm, counsel for the Plaintiffs (“Plaintiff” or “Plaintiffs”) in the above-captioned adversary proceedings (the “Adversary Proceedings”), hereby certify as follows:

1. On May 16, 2005, an initial pretrial conference was held (the “Pretrial Conference”) in the Adversary Proceedings.

2. At the Pretrial Conference, the Plaintiff proposed a schedule to apply to the Adversary Proceedings for the submission of settlement proposals/positions to the Plaintiff with the Plaintiff’s required response deadlines. The Court also directed that a status/scheduling conference pursuant to Rule 16(b) of the Federal Rules of Civil Procedure be held in the Adversary Proceedings on October 11, 2005 at 10:00 a.m.

3. Accordingly, for the Court’s consideration, attached hereto as Exhibit A is a proposed Order reflecting the dates and procedure presented at the Pretrial Conference.

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4. I respectfully request the entry of the proposed Order at the Court's earliest convenience.

Dated: May 18, 2005

THE BAYARD FIRM

A handwritten signature in cursive script, appearing to read "M. Augustine", written over a horizontal line.

Neil B. Glassman, Esq. (No. 2087)

Christopher A. Ward (No. 3877)

Mary E. Augustine (No. 4477)

222 Delaware Avenue, Suite 900

Wilmington, Delaware 19801

(302) 655-5000 (telephone)

(302) 658-6395 (facsimile)

-and-

LOWENSTEIN SANDLER PC

Paul Kizel, Esq.

65 Livingston Avenue

Roseland, New Jersey 07068

(973) 597-2500 (telephone)

(973) 597-2400 (facsimile)

Attorneys for Plaintiffs

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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| <p>In re:</p> <p>NationsRent, Inc., et al.,¹</p> <p style="text-align: center;">Debtors.</p> | <p>Case Nos. 01-11628 through 01-11639 (PJW)</p> <p>Jointly Administered</p> <p>Chapter 11</p> |
| <p>NationsRent Unsecured Creditor's Liquidating Trust, Perry Mandarino, not personally, but as Trustee</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>3-D/Costal Oil Company</p> <p>4 Star Air Hydraulics & Ind.</p> <p>Action Tire Company</p> <p>ADA Resources Inc.</p> <p>Advanced Tire Inc.</p> <p>Ael Leasing Co., Inc.</p> <p>Agovino & Asselta, LLP</p> <p>Airdyne Management Inc.</p> <p>Allen Oil Company of Sylacauga, Inc.¹</p> <p>Alternators Unlimited Reb.</p> <p>A.O.K. Tire Mart II, Inc.</p> <p>Archie's Truck Service</p> <p>Arrow Master, Inc.</p> <p>ASAP Equipment Rental & Sales</p> <p>Authorized Equipment, Inc.</p> | <p>District Court Case Nos. (KAJ):</p> <p>04-CV-1033</p> <p>04-CV-1030</p> <p>04-CV-1031</p> <p>04-CV-976</p> <p>04-CV-713</p> <p>04-CV-767</p> <p>04-CV-1035</p> <p>04-CV-714</p> <p>04-CV-801</p> <p>04-CV-988</p> <p>04-CV-766</p> <p>04-CV-1158</p> <p>04-CV-1160</p> <p>04-CV-716</p> <p>04-CV-784</p> |

¹ NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

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| Carruth-Doggett Industries, Inc. | 04-CV-723 |
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| Coleman Engineering | 04-CV-1148 |
| Collision Pro | 04-CV-1149 |
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| Columbus McKinnon Corp. | 04-CV-999 |
| Commercial Tire Inc. | 04-CV-806 |
| Construction Machinery, Inc. | 04-CV-1142 |
| Contractors Machinery Co. Inc. | 04-CV-795 |
| Corporate Express | 04-CV-1001 |
| Cowin Equipment Company, Inc. | 04-CV-728 |
| Creative Financial Staffing | 04-CV-1021 |
| Crosscheck, Inc. | 04-CV-732 |
| Cyrk, Inc. a/k/a Cyrk Acquisition | 04-CV-734 |
| Delta BCX Printing | 04-CV-1167 |
| Delta Formost Chemical Corporation | 04-CV-1170 |
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| Diamond Hydraulics | 04-CV-1106 |
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| Dossey Holdings, Inc. | 04-CV-1155 |
| Double A | 04-CV-1153 |
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| Equipment Development Co., Inc. | 04-CV-1128 |
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| Falcon Power | 04-CV-1130 |
| Fischer Group | 04-CV-1141 |
| FL Hydraulic Machinery | 04-CV-725 |
| Fleetwing Corp. | 04-CV-1151 |
| Fluid Tech Hydraulics, Inc. | 04-CV-1154 |
| GCR Pensacola Truck Tire Ctr. | 04-CV-730 |
| Gene Jackson Tire Co. | 04-CV-1049 |
| GFC Leasing | 04-CV-1051 |
| GMR Marketing LLC | 04-CV-731 |
| Goodyear Commercial Tire & Service Center | 04-CV-733 |
| GSR Construction, Inc. | 04-CV-768 |
| Gullo Ford Mercury | 04-CV-769 |
| Harbor Graphics Corporation | 04-CV-1007 |
| Harte-Hanks | 04-CV-739 |

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| Holt Equipment Company Co., LLC | 04-CV-772 |
| Hunt & Sons | 04-CV-1019 |
| Husqvarna Forest & Garden | 04-CV-1176 |
| ID Technologies, Inc. | 04-CV-1043 |
| Igloo Products Corp. | 04-CV-1042 |
| Illuminating Company | 04-CV-1070 |
| Industrial Hydraulics | 04-CV-1075 |
| Ingram Trucking LLC | 04-CV-744 |
| BBF, Ltd | 04-CV-800 |
| JAM Distributing Company | 04-CV-1123 |
| J&B Auto Supply, Inc. | 04-CV-1162 |
| Jeff Falkanger & Associates | 04-CV-1184 |
| Jimmy's Garage | 04-CV-1080 |
| Joe Jeter Sales | 04-CV-981 |
| John Ray and Sons Inc. | 04-CV-774 |
| Kent Demolition Tools | 04-CV-987 |
| Keson Industries Inc. | 04-CV-1116 |
| Kforce.com Inc. | 04-CV-745 |
| L&P Financial Services | 04-CV-1165 |
| Laclede Chain Mfg. Co. | 04-CV-1086 |
| Land & Sea Petroleum, Inc. | 04-CV-993 |
| Lionudakis Wood & Green Waste | 04-CV-1091 |
| Little Beaver, Inc. | 04-CV-997 |
| Lockhart Tire | 04-CV-1062 |
| M & D Distributors | 04-CV-1172 |
| M.P. Brine Inc. | 04-CV-783 |

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| Maxim Group | 04-CV-757 |
| Maxout Sourcing Services | 04-CV-758 |
| Metso Minerals Industries, Inc. | 04-CV-1011 |
| Miller Bros Giant Tire Service- Jacksonville, Inc. | 04-CV-1178 |
| The Miller Spreader Co. | 04-CV-1008 |
| Mission Critical System, Inc. | 04-CV-1014 |
| Mobile Products, Inc. | 04-CV-1186 |
| Mobile Storage Group, Inc. | 04-CV-1028 |
| Morgan Auto Supply Co. | 04-CV-1191 |
| Morgan Guaranty Trust Company of New York | 04-CV-1192 |
| Morgan Marshall Industries Inc. | 04-CV-763 |
| Multiquip Inc. | 04-CV-1025 |
| Mutual Industries | 04-CV-737 |
| Naab Consulting Corp. | 04-CV-1027 |
| Nabors Radiator & Electric | 04-CV-738 |
| NACM | 04-CV-1067 |
| NAPA Auto Parts, National Automotive Parts Association | 04-CV-1041 |
| Napa Auto Parts of Franklin | 04-CV-1073 |
| Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor | 04-CV-1063 |
| Neff Rental Inc. | 04-CV-785 |
| Nickey Petroleum Co. Inc. | 04-CV-1085 |
| Nortrax Equipment Co. SE, LLC | 04-CV-1045 |
| Nortrax Equipment Co. South LA | 04-CV-1044 |
| Nortrax NE LLC | 04-CV-1064 |
| NSTAR Electric & Gas Corporation | 04-CV-1066 |

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| Office Management Systems Inc. | 04-CV-742 |
| Olsen Tire | 04-CV-792 |
| Original Equipment Replacement Parts, Inc. | 04-CV-777 |
| Orlando Industrial Contractors | 04-CV-776 |
| OTR Tire & Supply Co. | 04-CV-1088 |
| Overland Machinery Co. | 04-CV-1089 |
| Pacific Century LSG #449 | 04-CV-1074 |
| Palmer Distributing & Sales | 04-CV-1055 |
| Parkway Truck Sales, Inc. | 04-CV-781 |
| Partner Industrial Products | 04-CV-1047 |
| Parts Associates | 04-CV-1056 |
| Penick, Parr & Associates | 04-CV-1092 |
| Peterson Tire Inc. | 04-CV-1061 |
| Pipeline Supply & Service | 04-CV-1098 |
| Pratt & Whitney Canada, Inc. | 04-CV-786 |
| Pro Chem Cleaning | 04-CV-1108 |
| Progressive Tractor Corp. | 04-CV-791 |
| Promotion Solution Inc. | 04-CV-790 |
| Quick Corner CITGO | 04-CV-1119 |
| Reeder Distributors Inc. | 04-CV-749 |
| Relizon | 04-CV-750 |
| Rentlink Inc. | 04-CV-1054 |
| Rhode Island Tire Co. Inc. | 04-CV-1032 |
| Rish Equipment Company | 04-CV-796 |
| Robertson Fleet Service Inc. | 04-CV-1029 |
| S&D Tire Inc. | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753 |
| Sanford Auto & Truck Parts | 04-CV-1140 |

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| Scotty's Oil Company, Inc. | 04-CV-755 |
| Sellers Petroleum Products Inc. | 04-CV-1109 |
| Sensormatic Electronics Corp. | 04-CV-1169 |
| Services & Materials, Co. | 04-CV-1171 |
| Sherwin-Williams | 04-CV-754 |
| SB Power Tool Corp. | 04-CV-1174 |
| Soco Group | 04-CV-1159 |
| Son Coast, Hauling, CCC | 04-CV-1077 |
| Southeastern Crane | 04-CV-799 |
| Southern Energy Company | 04-CV-1084 |
| Southern Linc | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble | 04-CV-1094 |
| Speedway New Holland | 04-CV-1100 |
| Staffing Master.com | 04-CV-1113 |
| Star Tire Company Inc. | 04-CV-1050 |
| Sterling Truck of Utah | 04-CV-1102 |
| Stihl Inc. National Accounts | 04-CV-1180 |
| Stone Construction Equipment Inc. | 04-CV-1183 |
| Sullivan Palatek Inc. | 04-CV-1052 |
| Sun Coast Resources Inc. | 04-CV-1188 |
| Tacony Corporation | 04-CV-808 |
| Terex Aerials, Inc. d/b/a Terex Cranes | 04-CV-973 |
| Texana Machinery Corp. | 04-CV-805 |
| Tex Con Oil Company | 04-CV-1120 |
| Tioga Inc. | 04-CV-1129 |
| TIP Dept 0501 | 04-CV-1131 |
| Tire Centers LLC | 04-CV-1133 |
| TMP Worldwide Inc. also known as Monster Worldwide, Inc. | 04-CV-986 |

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| Triton Transport Inc | 04-CV-1196 |
| Truck Lease Corp. | 04-CV-1198 |
| Truck PM Corporation | 04-CV-1002 |
| Tsurumi (America) Inc. | 04-CV-1005 |
| Tullo Truck Stop | 04-CV-1138 |
| Unifirst Corp. | 04-CV-1139 |
| Uniontools, Inc. | 04-CV-1009 |
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| Vermeer of Tennessee, Inc. | 04-CV-1071 |
| Vermeer Sales & Service of Colorado, Inc. | 04-CV-1112 |
| Vermeer Sales and Service of Southern Ohio, Inc. | 04-CV-1107 |
| Vermeer Sales of Texas Inc. | 04-CV-1189 |
| Vickers & Asso, Inc. | 04-CV-1079 |
| Vic's Tire Service | 04-CV-804 |
| Viking Oil | 04-CV-1081 |
| Voltech Company | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc. | 04-CV-1179 |
| Worcester Truck Body Co., Inc. | 04-CV-1168 |
| World Wide Welding & Press Inc. | 04-CV-1103 |
| Defendants. | |

**ORDER: (I) SETTING PROCEDURES TO FACILITATE
SETTLEMENT OF THE ABOVE-CAPTIONED ADVERSARY
PROCEEDINGS, AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M.
AS A STATUS/SCHEDULING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

This matter having come before the Court at the initial pretrial conference (the "Pretrial Conference") held on May 16, 2005; and the Court having considered the settlement procedures proposed by counsel for Plaintiff in the captioned adversary proceedings ("Plaintiff" or "Plaintiffs"); and having considered all responses thereto;

IT IS HEREBY ORDERED THAT:

1. Each defendant (the "Defendant") in the each of above-captioned adversary proceedings (the "Adversary Proceedings") shall submit a written settlement proposal/position (the "Settlement Position") in good faith to counsel for the Plaintiffs by July 15, 2005, which: (a) contains a brief statement setting forth the basis of the Defendant's defenses, (b) attaches all documentation supporting such defenses, and (c) sets forth Defendant's settlement proposal and/or position. The Settlement Position shall be served upon Plaintiff's counsel at the following address:

Lowenstein Sandler PC
Attn: Susan Ericksen, Esq.
65 Livingston Avenue
Roseland, NJ 07068-1791

2. The Plaintiff shall consider the Settlement Positions in good faith and shall respond in writing to each Settlement Position pursuant to the following schedule:

- a. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is greater than \$50,000.00, the Plaintiff must respond to the Settlement Position by August 19, 2005.

- b. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is between \$20,000.00 and \$50,000.00, the Plaintiff must respond to the Settlement Position by September 16, 2005.
- c. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is less than \$20,000.00 the Plaintiff must respond to the Settlement Position by September 30, 2005.

3. Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a status/scheduling conference for the unresolved Adversary Proceedings will be held on October 11, 2005 at 10:00 a.m.

Dated: _____, 2005

The Honorable Kent A. Jordan
United States District Court Judge

CERTIFICATE OF SERVICE

I Mary E. Augustine, hereby certify that on this 18th day of May, 2005, I caused a copy of the **Certification of Counsel Regarding Order: (I) Setting Procedures to Facilitate Settlement of the Above-Captioned Adversary Proceedings, and (II) Setting October 11, 2005 at 10:00 a.m. as a Status/Scheduling Conference Date in the Above-Captioned Adversary Proceedings** to be served upon the parties listed on the attached service list via hand delivery to local parties and via First Class United States Mail to all other parties thereon.


Mary E. Augustine (No. 4477)

Jeff Wasserman, Esq.
Ciconte, Roseman and Wasserman
1300 King Street
Wilmington, DE 19801

Re: 3-D/Coastal Oil Company

Ed Hart pro se
7465 St. Route 366, Suite D
Huntsville, OH 43324

Re: A&H Hose and Fitting

Mr. Ricky Stewart, President/CEO
410 Lee's Mill Road
Forest Park, GA 30297

Re: Action Tire Company

Steven M. Ott, Esq.
55 Public Square, Suite 1008
Cleveland, OH 44113

Re: Advanced Tire

Kathleen J. Campbell, Esq.
Campbell & Levine, LLC
800 N. King Street, Suite 300
Wilmington, DE 19801

Re: Airdyne

Jeff Wasserman, Esq.
Ciconte, Roseman and Wasserman
1300 King Street
Wilmington, DE 19801

Re: 4 Star Air Hydraulics & Ind.

Jeff Wasserman, Esq.
Ciconte, Roseman and Wasserman
1300 King Street
Wilmington, DE 19801

Re: A.O.K. Tire Mart II, Inc.

Rebecca Beste, Esq.
Potter Anderson
1313 North Market Street
PO Box 951
Wilmington, DE 19899-0951

Re: ADA Resources

William G. Wright, Esq.
Farr, Burke, Gambacorta & Wright
211 Benigno Blvd., Suite 201
Bellmawr, NJ 08031

Re: Ael Leasing Co., Inc.

Mark Owsley, Esq.
PO Box 6105
Talladega, Alabama 35161

Re: Allen Oil Company of Sylacauga, Inc.

Joyce Lindauer
12900 Preston Road, Suite 1050
Dallas, TX 75320

Re: Alternators Unlimited Reb.

Jeff Wasserman, Esq.
Ciconte, Roseman and Wasserman
1300 King Street
Wilmington, DE 19801

Re: American Hydraulics

Attention: Stephen Paradis, President/CEO
Attn: Stephen Paradis, President/CEP
180 Alabama Road
Tewksbury, MA 01876

Re: Archie's Truck

Attn: Stephen Paradis, President/CEO
Attn: Stephen Paradis, President/CEP
5 Villa Street
Chelsea, MA 02150

Re: Archie's Truck

Jeffrey Philip Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Arrow Master

Judy Jones, Esq.
Cross & Simon LLC
913 N. Market Street, Suite 1001
PO Box 1380
Wilmington, DE 19899

Re: ASAP Rental

Jonathon Pledger, Esq.
The Beasley Law Group
5205 Maryland Way, Suite 320
Brentwood, TN 37027

Re: Authorized Equipment, Inc.

Attn: Aubrey D1 Pitcock, Registered Agent
220 Hookston Road
Pleasant Hill, CA 94523

Re: Bay Counties Pitcock Petroleum

Attn: Joe Baker, CEO/President
10950 Belcher Road
Largo, FL 33777

Re: BBF Printing Solutions, Inc.

Attn: Carol Clark, General Counsel
11401 Lamar Avenue
Overland Park, Kansas 66211

Re: Black & Veatch Constr., Inc.

Attn: Clarence Bergman, President/CEO
1446 N 24th Avenue
Phoenix, AZ 85009

Re: Blue Ribbon Tire

Sally Baumgartne, Registered Agent
3215 3rd Street
West Bradenton, FL 33505

Re: Badenton Fuel Oil, Inc.

Attn: Karen Baldw, CEO/President
6116 21st Street
East Bradenton, FL 34203

Re: Bradenton Fuel Oil, Inc.

Attn: President / CEO
5710 Riverview Road
Mableton, GA 30059

Re: Burch-Lowe, Inc.

Attn: The Corporation Company
2000 Interstate Park Drive, Suite 2
Montgomery, AL 36100

Re: Burch-Lowe, Inc.

Eric French
139 E. Fourth Street, 25 Atrium II
Cincinnati, OH 45202

Re: C.G&E

Cokinos, Bosien & Young
Attn: Craig Powe, Esq.
2919 Allen Parkway, Suite 1500
Houston, TX 77019

Re: Carruth-Doggett

Robert C. Meyer
2223 Coral Way
Miami, FL 33145

Re: Central Tire

Jason Sitt, Esq.
Keating, Muething & Klekamp
1400 Provident Tower
One East Fourth Street
Cincinnati, OH 45202

Re: Cintas Corp.

Mr. Curtis Allen, President/CEO
30 Technology Parkway South
Suite 100
Norcross, GA 30092

Re: Reed Construction Data

Mr. Arol R. Wolford, President/CEO
PO Box 2241
Carol Stream, IL 60116

Re: CMD Group

Mr. Steven Hueser, CEO/President
590 Huey Road
Rock Hill, SC 29730

Re: Terex Light Construction Co.

Jeffrey Philip Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Collision Pro

Rachel B. Mersky, Esq.
Monzack and Monaco
1201 North Orange Street, Suite 400
Wilmington, DE 19801

Re: Columbus Equipment Co.

Timothy T. Tevens, President/CEO
140 John James Audubon Parkway
Amherst, NY 14228

Re: Columbus McKinnon

Jody Shilling President/CEO
2595 Southwest Railroad Ave
Hammond, LA 70403

Re: Commercial Tire, Inc.

Gerald West
13950 Plank Road
Baker, LA 70714

Re: Commercial Tire, Inc.

Cook Inlet Region, Inc.
Attn: Lisa Rieger, General Counsel
2525 "C" Street, Suite 500
Anchorage Alaska 99509-3330

Re: Construction Machinery, Inc.

Robert Matz, Chairman
M-L Holdings Company
4601 Washington Blvd.
Baltimore, MD 21227

Re: Contractors Machinery Co. Inc.

Saegre & Benson
Attn: Darrell Daley, Esq.
1900 15th Street
Boulder, CO 80302

Re: Corporate Express

John Frawley, Esq.
P.O. Box 101493
Irondale, Alabama 35210

Re: Cowin Equipment Co., Inc.

Sam O. Simmerman, Esq.
Krugliak, Wilkins et al.
4775 Munson St., N.W. - Box 36963
Canton, OH 44735-6963

Re: Creative Financial Staffing

Reed Smith LLP
Attn: Tom Francella, Esq.
1201 Market Street, Suite 1500
Wilmington, DE 19801

Re: Crosscheck

Mike Weinsier, Esq.
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, New York 10004

Re: Cyrk, Inc. a/k/a Cyrk Acquisition

Jeff Margolin, Esq.
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, New York 10004

Re: Cyrk, Inc. a/k/a Cyrk Acquisition

Attn: Rick Nettina - President / CEO
4519 Taylor Street
Hollywood, FL 33021-6627

Re: Delta BCX Printing

Attn: Mr. Ronald Cooper - President / CEO
3915 Air Park St.
Memphis, TN 38118

Re: Delta Formost Chemical

G. Christopher Meyer, Esq.
Squire Sanders & Dempsey LLP
4900 Key Tower, 127 Public Sq.
Cleveland, OH 44114-1304

Re: Diamant Boart

Stephen J. Schechter
League City, Texas
6776 FM 2004
Hitchcock, TX 77563

Re: Diamond Hydraulics

Barry Gindlesburger, Esq.
2054 Ridge Road
Jeanette, PA 15644

Re: Diamond J. Transport, Inc.

Attn: A.M. Barille
P.O. Box 21726
Cleveland, Ohio 44121

Re: Diversified Credit Service

Bobby Dorris
d/b/a Dorris Cleaning
598 West College St.
Greenbrier, TN 37073

Re: Dorris Cleaning

Shaked & Posner
Attn: Dan Shaked, Esq.
225 W. 34th Street, Suite 110
New York, NY 10122

Re: Dorskocil Industries, Inc.

Les Shayo, Esq.
8383 Wilshire, Suite 510
Beverly Hills, CA 90211

Re: Dossey Holdings, Inc.

Brett Fallon, Esq.
Morris, James, Hitchens & Williams
222 Delaware Ave., 10th Floor
Wilmington, DE 19801

Re: Double A

Jeff Wasserman, Esq.
Ciconte, Roseman and Wasserman
1300 King Street
Wilmington DE 19801

Re: Douglass Distributing

Attn: Steven Russ, President / CEO
31 Carleton Ave.
Mt. Vernon, NY 10550-4617

Re: Dutchess Forging

David J. Turiciano, Esq.
Cook & Franke S.C.
660 East Mason Street
Milwaukee, WI 53202-3877

Re: Metso Minerals, Inc., f/k/a Dynapac

LYONS, DOUGHTY & VELDHUIS
Attn: Hillary Veldhuis, Esq.
1148 Pulaski Highway, PMB 313
Bear, DE 19701

Re: Ebusiness Technology Partners, Inc

Brett Fallon, Esq.
Morris, James, Hitchens & Williams
222 Delaware Ave., 10th Floor
Wilmington, DE 19801

Re: EJ Reynolds

William D. Sullivan, Esq.
The Nemours Building, Suite 1110
1007 N. Orange St.
Wilmington, DE 19899

Re: Empite d/b/a Nortrax

Attn: President/Chief Executive Officer
100 Thomas Johnson Dr.
Frederick, MD 21702

Re: Equipment Development Company

Attn: President/Chief Executive Officer
1195 Broad St.
Providence RI 02905-2910

Re: Equiptechs, Inc.

Attn: President/ Chief Executive Officer
1411 N. 27th Ave.
Phoenix, AZ 85009

Re: Falcon Power, Inc.

Attn President/ Chief Executive Officer
305 S. Andrews
Fort Lauderdale, FL 33301

Re: Fischer Group

Attn: President/Chief Executive Officer,
2601 East Oakland Park Blvd.
Fort Lauderdale, FL 33306

Re: Fischer Group

Kathleen M. Miller, Esq.
Smith, Katzenstein & Furlow, LLP
The Corporate Plaza
800 Delaware Avenue, 7th Floor
Wilmington, DE 19899

Re: FL Hydraulic Machinery

John A. Anthony, Esq.
Gray Robinson, PA
Suite 2200, 201 North Franklin Street
P.O. Box 3324
Tampa, Florida 33601

Re: Fleetwing Corp.

Attn: President/Chief Executive Officer
Fluid Tech Hydraulics
8432 Tiogawoods Drive
Sacramento, CA 95828

Re: Fluid Tech

Attn: President/Chief Executive Officer
3414 Highway 21
Atmore, Alabama 36502

GCR Pensacola Truck Tire Center

Attn: President Chief Executive Officer
7801 Rosecran St.
Paramount, CA 90723

Re: GCR Pensacola Truck Tire Center

Christopher A. Dawson, Esq.
VanAntwerp, Monge, Jones & Edwards, LLP
1544 Winchester Ave -- Fifth Floor
Ashland, Kentucky 41101

Re: Gene Jackson Tire Co.

Jeffrey P. Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Gene Jackson Tire Co.

Ian Connor Bifferato, Esq.
& Garvan McDaniel, Esq.
Bifferato, Bifferato & Gentilotti
1308 Delaware Ave. - Box 2165
Wilmington, DE 19899-2165

Re: GFC Leasing

Attn: Tracey Cornish
1999 Bryan Street, Suite 3200
Dallas, TX 75201

Re: GMR Marketing Inc.

Attn: President/Chief Executive Officer
220 E 42nd St., 15th Fl.
NYC, NY

Re: GMR Marketing Inc.

Lee Watson, Esq.
Wingfoot Commercial Tire Systems, LLC
1000 South 21st Street
Fort Smith, Arkansas 72901

Re: Goodyear Commercial Tire

Attn: President/Chief Executive Officer
932 Massachusetts, Suite 304
Lawrence, KS 66044

Re: GSR Construction, Inc.

Attn: President/Chief Executive Officer
3010 N. State Road 217
Brownsburg, IN 46112

Re: GSR Construction, Inc.

William T. Green III, P.C.
11 Greenway Plaza, Suite 2820
Houston, Texas 77046

Re: Gullo Ford Mercury

Christopher A. Camardello, Esq.
Winthrop & Weinstine, P.A.
225 South Sixth Street, Suite 3500
Minneapolis, MN 55402

Re: Harbor Graphics Corp.

Attn: Paul Bentley, Registered Agent
1710 Snows Mill Ave.
Northport, AL 35476

Re: Hick's Petroleum Distributors, Inc.

Attn: President/Chief Executive Officer
10703 Kramer Rd.
Bowling Green, OH 43402

Re: Hindley Electronics, Inc.

Attn: President/Chief Executive Officer
6555 Powerline Road, Suite 106
Ft. Lauderdale, FL 33309

Re: ID Technologies, Inc.

Attn: President/Chief Executive Officer
221 East Sample Rd., Suite 204
Pompano Beach, FL 33064

Re: ID Technologies, Inc.

Chris Reis, Esq. & William D. Sullivan, Esq.
Charles J. Brown, III, Esq.
300 Delaware Avenue, Suite 1700
P.O. Box 1630
Wilmington, DE 19899

Re: Harte-Hanks

Attn: President/Chief Executive Officer
6700 MLK, Jr. Blvd.
Tuscaloosa, AL

Re: Hick's Petroleum Distributors

G. Christopher Meyer, Esq.
Squire, Sanders & Dempsey L.L.P.
4900 Key Tower
127 Public Square
Cleveland, Ohio 44114-1304

Re: Husquarna Forest & Garden

Attn: President/Chief Executive Officer
6555 Powerline Road, Suite 106
Ft. Lauderdale, FL 33309

Re: ID Technologies, Inc.

Nicole Fiori, Esq.
P.O. Box 19322/(77224-9322)
1001 W. Sam Houston Parkway NL
Houston, Texas 77043

Re: Igloo Products Corp.

Jessica E. Price
1001 Lakeside Ave., Suite 1600
Cleveland, Ohio 44114

Re: Illuminating Company, The

Brouse McDowell
1001 Lakeside Ave., Suite 1600
Cleveland, Ohio 44114

Re: Illuminating Company, The

Attn: John Michael Courney, Registered Agent
36203 Hwy. 1036
Holden, LA 70744

Re: Industrial Hydraulics

Attn: E. Hack Mays, Jr.
25677 Elmwood Place
Denham Springs, LA 70726

Re: Industrial Hydraulics

Attn: President/Chief Executive Officer
Industrial Supplies Inc.
3158 Highway 20 W, Bldg. 1
Decatur, AL 35601

Re: Industrial Hydraulics

Attn: President/Chief Executive Officer
6614 Langley Drive
Baton Rouge, LA 79809-5176

Re: Industrial Hydraulics

Deborah Fallis, Esq.
Heller, Draper, Hayden, Patrick, & Horn, LLC
650 Potdras Street, Suite 2500
New Orleans, LA 70130-6103

Re: Ingram Trucking Inc.

Marla R. Eskin, Esq.
Campbell & Levine, LLC
800 N. King Street, Suite 300
Wilmington, DE 19801

Re: J A M Distributing Company

Marla R. Eskin, Esq.
Campbell & Levine, LLC
800 N. King Street, Suite 300
Wilmington, DE 19801

Re: J A M Distributing Company

Attn: President/Chief Executive Officer
2523 Stoney Brook
Houston, TX 77042

Re: J&B Auto Supply, Inc.

Attn: President/Chief Executive Officer
J&B Auto Supply & Machine
11635 Highway 105 E
Cut And Shoot, TX 77306-5371

Re: J&B Auto Supply, Inc.

Andrea S. Hartley
One S.E. 3rd Ave., 28th Floor
Miami, Florida 33131-1714

Re: Jeff Falkanger & Associates

Akerman Senterfitt
One S.E. 3rd Ave., 28th Floor
Miami, Florida 33131-1714

Re: Jeff Falkanger & Associates

Attn: President/Chief Executive Officer
945 Main St.
Wilmington, MA 01887

Re: Jimmy's Garage

Attn: President/Chief Executive Officer
306 Hockaday
Garland, TX 75043

Re: Joe Jeter Sales

Michael St. Patrick Baxter, Esq.
Covington & Burling
1201 Pennsylvania Avenue NW
Washington, DC 20004-2401

Re: John Ray and Sons, Inc.

Jeffrey P. Wasserman, Esq.,
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Kent Demolition Tools

Attn: President/Chief Executive Officer
799 Roosevelt Road
Building 3, Suite 10
Glen Ellyn, IL 60137

Re: Keson Industries, Inc.

Attn: President/Chief Executive Officer
810 Commerce Street
Aurora, IL 60504

Re: Keson Industries, Inc.

Attn: Roger Hammond
101 East Palm Aven
Tampa, FL 33605

Re: Kforce.com

Attn: President/Chief Executive Officer
8905 E. Garvey
Rosemead, CA 91770

Re: L&P Financial Services

Mr. Michael Lane
Laclede Steel Company
440 N. 4th Street, Suite 300
St. Louis, MO 63102

Re: Laclede Chain Mfg. Co.

Attn: James Angelone
6233 NW 82 Drive
Parkland, FL 33067

Re: Land & Sea Petroleum, Inc.

Attn: President/Chief Executive Officer
6710 NW 15th Way
Fort Lauderdale, FL

Re: Land & Sea Petroleum, Inc.

Attn: President/Chief Executive Officer
5980 Outfall Cir
Sacramento, CA 95828

Re: Lionudakis Wood & Green Waste, Inc.

Attn: President/Chief Executive Officer
25071 E. Jones Rd.
Escalon, CA 95320

Re: Lionudakis Wood & Green Waste, Inc.

Craig R. Denum, Esq.
Storey & Denum, P.C.
11757 Katy Freeway, Suite 1010
Houston, Texas 77079-1732

Re: Little Beaver, Inc.

Brian A. Lawton, Esq.
Metz Lewis LLC
11 Stanwix Street, 18th Floor
Pittsburgh, PA 15222

Re: Lockhart Tire

Jessica E. Price, Esq.
Brouse McDowell
1001 Lakeside Ave., Suite 1600
Cleveland, Ohio 44114

Re: M.P. Brine Inc.

Corporation Service Company
4845 Jimmy Carter Blvd.
Norcross, GA 30093

Re: Maxim Group

Attn: President/Chief Executive Officer
2593 Kennesaw Due West Rd., NW
Kennesaw, GA

Re: Maxim Group

Maxout Sourcing Systems
Attn: President/Chief Executive Officer
P.O. Box 870871
Kansas City, MO 64187

Re: Maxout Sourcing Services

Suzanne Hill, Esq.
Potter Anderson & Corroon LLP
1313 N. Market St.
P.O. Box 951
Wilmington, DE 19899-0951

Re: Miller Bros. Giant Tire Service

Attn: Carl G. James, Esq.
8000 Hub Parkway
Cleveland, Ohio 44125

Re: Carl G. James, Esq.

Attn: President/Chief Executive Officer
1347 E Sample Rd
Pompano Beach, FL 33064

Re: Mobile Products Inc.

Attn: President/Chief Executive Officer
201 W Oklahoma Ave
Fairview, OK 73737

Re: Mobile Products, Inc.

Attn: Carl N. Kunz, III
222 Delaware Ave., 10th Floor
PO Box 2306
Wilmington, DE 19899

Re: Mobile Storage Group Inc.

Earl G. Covington
5225 Katy Freeway, Suite 206
Houston, TX 77007

Re: Morgan Auto Supply Co.

Attn: President/Chief Executive Officer
1219 South Street
Pasadena, TX 77503

Re: Morgan Auto Supply Co.

Attn: President/Chief Executive Officer
500 Stanton Christiana Rd.
Newark, DE 19713

Re: Morgan Guaranty Trust Co.

Attn: President/Chief Executive Officer
& Stanley Jewell
1400 N. 25th St.
Melrose Park, IL 60160

Re: Morgan Marshall Industries, Inc.

Richard Macias, Esq.
Creim, Macias & Koenig LLP
633 West 5th Street, 51st Floor
Los Angeles, CA 90071

Re: Multiquip Inc.

Jane C. Fennelly, Esq.
Creim, Macias & Koenig LLP
633 West 5th Street, 51st Floor
Los Angeles, CA 90071

Re: Multiquip Inc.

Attn: President/Chief Executive Officer
720 Grange St.
Philadelphia, PA 19120

Re: Mutual Industries

Bradley S. Shraiberg, Esq.
Arnstein & Lehr LLP
2424 N. Federal Highway, Suite 462
Boca Raton, FL 33431

Re: Naab Consulting Corp.

Attn: President Chief Executive Officer and J.R.
Nabors, 617 25th St. South
Birmingham, AL 35233

Re: Nabors Radiator & Electric

NACM of Colorado
Attn: Dennis Bedingfield, Registered Agent
777 S. Wadsworth, Suites 2-100
Lakewood, CO 80226

Re: NACM

Attn: President/Chief Executive Officer
NACM Southwest
1915 Westridge Dr.
Irving, TX 75038

Re: NACM

Kim Robinson, Esq.
Barack Ferrazzano Kirschbaum et al.
333 West Wacker Drive, Suite 2700
Chicago, Illinois 60606

Re: NAPA Auto Parts

Attn: President/Chief Executive Officer
1545 Columbia Ave
Franklin, TN 37064

Re: NAPA Auto Parts of Franklin

Stephen W. Spence
1200 North Broom Street
Wilmington DE 19806

Re: Nashville Tractor & Equip. Inc.

Brian A. Burden, Esq.
Post Office Box 767
Tampa, Florida 33601-0767

Re: Neff Rental, Inc.

Gary Hickman
1800 W. Katella Ave., Ste. 101
Orange, California 92867

Re: Nickey Petroleum Co., Inc.

William D. Sullivan, Esq.
300 Delaware Avenue, Suite 1700
P.O. Box 1630
Wilmington, DE 19899

Re: Nortrax Equipment Co. South LA

Charles J. Brown, III, Esq.
300 Delaware Avenue, Suite 1700
P.O. Box 1630
Wilmington, DE 19899

Re: Nortrax Equipment Co. South LA

William D. Sullivan, Esq.
300 Delaware Avenue, Suite 1700
P.O. Box 1630
Wilmington, DE 19899

Re: Nortrax NE, LLC

Charles J. Brown, III, Esq.
300 Delaware Avenue, Suite 1700
P.O. Box 1630
Wilmington, DE 19899

Re: Nortrax NE, LLC

Rory M. Smith, Esq.
Sentry Insurance Claims
4400 E. 53rd St.
P.O. Box 8022
Davenport, IA. 52808

Re: Nortrax SE, LLC

William D. Sullivan, Esq.
The Nemours Building, Suite 1110
1007 N. Orange St.
Wilmington, DE 19899

Re: Nortrax SE, LLC

Michael K. Callahan, Esq.
800 Boylston Street, 17th Floor
Boston, Massachusetts 02199

Re: Nstar Electric & Gas Corp.

Amy Elizabeth Evans, Esq.
Cross & Simon LLC
913 N. Market Street, Suite 1001
PO Box 1380
Wilmington, DE 19899

Re: Office Management Systems, Inc.

Mr. Morgan, President
2023 Sunnydale Blvd.
Clearwater, FL 33765

Re: Morgan Tire & Auto, Inc. d/b/a
Olson Tire Total Car Care

Mr. Morgan, President
2021 Sunnydale Blvd.
Clearwater, FL 33765

Re: Morgan Tire & Auto, Inc. d/b/a
Olson Tire Total Car Care

Richard Turner, President
3700 Fiscal Court
River Beach, FL 33404-1723

Re: Original Equip. Replacement Parts

Richard Turner, Registered Agent
4624 Holly Drive
Palm Beach Gardens, FL 33410

Re: Original Equip. Replacement Parts

Alan L. Chochran, President
P.O. Box 590728
Orlando, FL 32859-0728

Re: Orlando Industrial Contractors

Larry Reid, President
13075 Newburgh Road
Livonia, MI 48150-5009

Re: OTR Tire & Supply Co.

Butch Crum
182 Crum Drive
Reynoldsburg, OH 43068

Re: Overland Machinery Co.

Michael R. Lastowski, Esq.
Duane Morris LLP
1100 North Market St., Suite 1200
Wilmington, DE 19801-1246

Re: Pacific Century Leasing

Virginia A. Zrake, Esq.
WHITNEY & BOGRIS, LLP
34382 Carpenters Way
P.O. Box 247
Lewes, DE 19958

Re: Palmer Distributing & Sales

Michael Bouillet, Esq.
WHITNEY & BOGRIS, LLP
34382 Carpenters Way
P.O. Box 247
Lewes, DE 19958

Re: Palmer Distributing & Sales

Genevieve Silveroli, Esq.
Electrolux
18013 Cleveland Parkway, Suite 100
P.O. Box 35920
Cleveland, Ohio 44135-0920

Re: Partner Industrial Products

Scott N. Opincar, Esq.
McDonald Hopkins Co., LPA
2100 Bank One Center
600 Superior Avenue, N.E.
Cleveland, Ohio 44114-2653

Re: Parts Associates

Jeffrey Philip Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Peterson Tire Inc.

Bifferato, Gentilotti & Biden
Attn: Catherine Zwolak Kilian, Esq.
1308 Delaware Avenue
P.O. Box 2165
Wilmington, DE 19899-2165

Re: Pratt & Whitney Canada, Inc.

Joanne M. Wilson, Esq.
Law Offices of Joanne M. Wilson, P.C.
2393 Surf Drive
Bellmore, New York 11710

Re: Parkway Truck Sales, Inc.

G. Christopher Meyer, Esq.
Squire, Sanders & Dempsey L.L.P.
4900 Key Tower
127 Public Square
Cleveland, OH 44114-1304

Re: Partner Industrial Products

Wayne Gotcher, President
7440 North Oracle Road #7
Tucson, AZ 85704

Re: Penick, Parr & Associates

Jeffrey P. Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Pipeline Supply & Service

Stephanie J. Ward, Esq.
Brown Mccarroll, L.L.P.
2001 Ross Avenue, Suite 2000
Dallas, Texas 75201

Re: Pro Chem Cleaning

Randy Mathews, President
1200 N. Walton Walker Boulevard
Dallas, TX 75211-1052

Re: Progressive Tractor Corp.

Attn: Gary W. Stansberry, Registered Agent
2718 Sea Harbor
Dallas, TX 75212

Re: Progressive Tractor Corp.

Attn: John D. Cartmill, Registered Agent (or CEO)
8374 Allison Avenue
La Mesa, CA 91941

Re: Promotion Solution, Inc.

Jennifer L. Scoliard, Esq.
Klehr, Harrison, Harvey, Branzburg & Ellers, LLP
919 Market Street, Suite 1000
Wilmington, DE 19801-3062

Re: Quick Corner, "Citgo"

Gary M. Reeder, President
Bill Kluge, Chief Financial Officer
Linda F. Reeder, Treasurer
Jim Moore, Vice-President
5450 Wilbarger Street
Fort Worth, TX 76119-4238

Re: Reeder Distributors, Inc.

Gary Reeder, President
821 E. Loop 820
Fort Worth, TX 76120-1311

Re: Reeder Distributors Inc.

Gary M. Reeder, President
Linda Reeder, Secretary/Treasurer
4603 Meandering Way
Colleyville, TX 76034

Re: Reeder Distributors Inc.

Stephen M. Miller, Esq.
Morris, James, Hitchens & Williams
222 Delaware Ave., 10th Fl.
Wilmington, DE 19899-2306

Re: Relizon

Eric H. Lindenman, Esq.
Harris Beach LLP
805 Third Avenue
New York, New York 10022

Re: Rentlink Inc.

Attn: Ron Holland, President
370 Smith Street
North Kingstown, RI 02852-8508

Re: Rhode Island Tire Co. Inc.

Attn: Ronald Lawton Holland, President
26 Camp Avenue
North Kingstown, RI 02852

Re: Rhode Island Tire Co. Inc.

Christopher Loizides, Esq.
Loizides & Associates
Legal Arts Building
1225 King Street, Suite 800
Wilmington, Delaware 19801

Re: Rish Equipment Company

John Nichols, President
Joe Benavides, VP Finance
Yancy M. Robertson, Registered Agent
964 Irving Blvd.
Dallas, TX 75247-6294

Re: Robertson Fleet Services

Ron L. Daetweiler, President
P.O. Box 6560
Anaheim, CA 92816-0560

Re: S&D Tire, Inc.

Attn: President/CEO
Kenneth R. Moore
15600 Bourline Road
Fort Worth, TX 76111

Re: Saber Fleet Services, Inc. d/b/a Weiland
Tire Service

Attn: Eric Speck, Vice President
4200 American Blvd.
Fort Worth, TX 76155-2102

Re: Saber Fleet Services, Inc. d/b/a Weiland
Tire Service

Attn: Robert Weiland, Director
4708 Osage Ct.
Arlington, TX 76018

Re: Saber Fleet Services, Inc. d/b/a
Weiland Tire Service

Attn: Kenneth R. Moore, Registered Agent
P.O. Box 161217
Ft. Worth, TX 76161-1217

Re: Saber Fleet Services, Inc. d/b/a
Weiland Tire Service

Attn: Kenneth Moore, President
1328 Oakwood Court
Flower Mound, TX 75028

Re: Saber Fleet Services, Inc. d/b/a
Weiland Tire Service

David L. Finger, Esq.
Finger & Slanina, LLC
One Commerce Center
1201 Orange Street, Suite 725
Wilmington, DE 19801-1155

Re: Sanford Auto & Truck Parts

Karen C. Bifferato, Esq.
Connolly, Bove, Lodge & Hutz
1007 North Orange Street
PO Box 2207
Wilmington, DE 19899

Re: Scotty's Oil Company, Inc.

Attention: President/Chief Executive Officer
700 W. McNeil Road
Sanford, NC 27330

Re: Seay Oil Company

Ted B. Bowen, Esq.
1405 W. 16th St.
Yuma, AZ 85364

Re: Sellers Petroleum Products, Inc.

Barbara J. Hartung, Esq.
Lathrop & Gage L.C.
10 S. Broadway, Suite 1300
St. Louis, MO 63102

Re: Services & Materials
(Flex-O-Lite, Inc.)

Joseph M. Scaminace, President & CEO
101 Prospect Avenue, NW
Cleveland, OH 44115-1075

Re: The Sherwin-Williams Co.

Luke Baer, Secretary
Robert Bosch Tool Corporation
formerly S-B Power Tool Corporation
2800 S. 25th Avenue
Broadview, IL 60155-4532

Re: Skil Bosch, SB Power Tool Co.

Patricia P. McGonigle
222 Delaware Ave., Suite 1500
Wilmington, DE 19899

Re: SoCo Group

Christopher Ryles
509 Highway 85 North
Niceville, FL 32578

Re: Son Coast Hauling, L.L.C.

Luke Baer, Secretary
Robert Bosch Tool Corporation
2800 S 25th Avenue
Broadview, IL 60155-4532

Re: Southeastern Crane

J. Larry Jones, President
Cougar Oil, Inc.
1411 Water Avenue
Post Office Box 1800
Selma, AL 36702-1800

Re: Southern Energy Company

Eric T. Ray, Esq.
Balch & Bingham LLP
P.O. Box 306 (35201)
1901 Sixth Avenue North, Suite 2600
Birmingham, AL 35203

Re: Southern Linc

Scott Smith, Sr. Counsel
CNH America, LLC,
P.O. Box 1895, M.S. 237
New Holland, PA 17557-0903

Re: Speedway New Holland

Michael F. Duggan, Esq.
Phillips, Goldman & Spence, P.A.
1200 N Broom Street
Wilmington, DE 19806-4204

Re: Star Tire Company, Inc.

James H. Joseph, Esq.
McGuire Woods LLP
Dominion Tower
625 Liberty Avenue, 23rd Floor
Pittsburgh, PA 15222

Re: Stihl Inc. National Accounts

Lynne Woodworth, President
8662 Main Street
Honeoye, NY 14471-9634

Re: Stone Construction Equip. Inc.

Paul Rimas, Esq.
Trimble Navigation Limited
Legal Department
749 N. Mary Avenue
Sunnyvale, CA 94085

Re: Spectra Precision d/b/a Trimble

Jeff Brown, CEO
1188 Bell Road - Suite 206
Chagrin Falls, OH 44022-6101

Re: Staffing Master.Com

Mark S. Swan, Esq.
Swan Law Firm, PLC
2240 South 5370 West
West Valley City, Utah 84120

Re: Sterling Truck of Utah

Robert J. Fien, Chairman and CEO
8662 Main Street
Honeoye, NY 14471-9634

Re: Stone Construction Equip. Inc.

Jeffrey Philip Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Sullivan Palatek Inc

Attn: Kathy E. Lehne, Registered Agent
6922 Cavalcade St.
Houston, TX 77028

Re: Sun Coast Resources Inc

Jeffrey P. Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Tacony Corporation

Ronald M. Defeo, President
500 Post Road E, Suite 320
Westport, CT 06880

Re: Terex Aerials, Inc. d/b/a Terex Cranes

Eric Cohen, Secretary
500 Post Road E, Suite 320
Westport, CT 06880

Re: Terex Aerials, Inc. d/b/a Terex Cranes

Brian Henry, Treasurer
500 Post Road E, Suite 320
Westport, CT 06880

Re: Terex Aerials, Inc. d/b/a Terex Cranes

Donald M. Cook, President
Robert Glasscock, Treasurer
4146 IH 10E
San Antonio, TX 78219-4014

Re: Texana Machinery Corp.

Mike Gudknecht, Chief Financial Officer
Robert Glasscock, Treasurer
4146 IH 10E
San Antonio, TX 78219-4014

Re: Texana Machinery Corp.

Kevin J. Mangan, Esq.
Monzack and Monaco, P.A.
1201 N. Orange St., Suite 400
Wilmington, DE 19801

Re: Tex-Con Oil Company
(Hays City Corporation d/b/a)

Karen C. Bifferato, Esq.
Connolly Bove Lodge & Hutz LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 19899

Re: Tioga, Inc.

Marc J. Phillips, Esq.
Connolly Bove Lodge & Hutz LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 19899

Re: Tioga, Inc.

Amy J. Swedberg, Esq.
Maslon Edelman Borman & Brand, LLP
3300 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402

Re: Tioga, Inc.

Roy Brumfeld, President & CEO
310 Inglesby Parkway
P.O. Box 218
Duncan, SC 29334

Re: Tire Centers, LLC

Patrick M. Leathern, Esq.
Morris, James, Hitchens & Williams LLP
222 Delaware Ave., 10th Floor
P. O. Box 2306
Wilmington, DE 19899-2306

Re: TMP Worldwide n/k/a Monster Worldwide

Glenn A. Manochi, Esq.
Lightman, Manochi & Christensen
1520 Locust Street, 12th Floor
Philadelphia, PA 19102

Re: Truck Lease Corp. d/b/a AMI Leasing

Richard W. Riley, Esq.
Duane Morris LLP
1100 North Market St., Suite 1200
Wilmington, DE 19801

Re: Tsurumi America, Inc.

Martin J. Weis, Esq.
Dilworth Paxson LLP
3200 The Mellon Bank Center
1735 Market Street
Philadelphia, PA 19103

Re: TIP, Dept. 0501

Carl N. Kunz, III, Esq.
Morris, James, Hitchens & Williams LLP
222 Delaware Ave., 10th Floor
P. O. Box 2306
Wilmington, DE 19899-2306

Re: TMP Worldwide n/k/a Monster Worldwide

Arthur Handy, President
7820 Chubb Road
Northville, MI 48167-9604

Re: Triton Transport, Inc.

Darwin E. Niemtschk
3322 Jane Lane
Dallas, TX 75247

Re: Truck PM Corporation

Bayard J. Snyder, Esq.
Snyder & Associates
300 Delaware Avenue, Suite 1014
P.O. Box 90
Wilmington, DE 19899

Re: Tullo Truck Stop

Brian H. Mukherjee, Esq.
Goodwin Procter LLP
Exchange Place
Boston, MA 02109

Re: Unifirst Corp.

Jack R. Pigman, Esq.
Porter, Wright, Morris & Arthur LLP
41 South High Street
Columbus, Ohio 43215

Re: Uniontools, Inc.

Michael R. Casey, Esq.
Greenberg Traurig, P.A.
401 East Las Olas Blvd., Suite 2000
Fort Lauderdale, Florida 33301

Re: US Imaging Solutions

Jeffrey P. Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: US Markets, Inc.

Larry Chavez, Vice President and CFO
10182-C Croydon Way
Sacramento, CA 95827

Re: Valley Rubber & Gasket

Arthur Metz, Controller
15 McKean Avenue
Charleroi, PA 15022

Re: Valley Tire Co., Inc.

Reginald W. Jackson, Esq.
Vorys, Sater, Seymour & Pease LLP
52 E. Gay Street
Columbus, OH 43215

Re: Valvoline Company, The

Ronald D. Morelli, Esq.
Pietragallo, Bosick & Gordo
One Oxford Centre, 38th Floor
Pittsburgh, PA 15219

Re: Vector Security, Inc.

Brian A. Sullivan, Esq. and Amy D. Brown, Esq.
300 Delaware Ave., 10th Floor
Wilmington, DE 19801

Re: Vermeer Equipment of Texas

Ricardo Palacio, Esq.
Ashby & Geddes, P.A.
222 Delaware Avenue, 17th Floor
P.O. Box 1150
Wilmington, Delaware 19899

Re: Vermeer Manufacturing Co.

Polly J. Feigenbaum, Esq.
Segel, Goldman, Mazzotta & Siegel, P.C.
9 Washington Square
Albany, NY 12205

Re: Vermeer Northeast

Bruce W. McCullough, Esq.
McCullough & McKenty, P.A.
824 Market Street, Suite 412
P.O. Box 397
Wilmington, DE 19899-0397

Re: Vermeer Sales & Service of So. Ohio, Inc.

Joseph Grey, Esq.
Stevens & Lee, P.C.
300 Delaware Avenue, Suite 800
Wilmington, DE 19801

Re: Vermeer of Tennessee, Inc.

Jon L. Scott, Chief Executive Officer
5801 E. 76th Avenue
Commerce City, CO 80022-1061

Re: Vermeer Sales & Service of Colorado, Inc.

Lavern K. Scott, Registered Agent
5801 E. 76th Avenue
Commerce City, CO 80022-1061

Re: Vermeer Sales & Service of Colorado, Inc.

Attn: Carl Van Roekel, Chairman of the Board
4455 Director Dr.
San Antonio, TX 78219-3205

Re: Vermeer Sales of Texas

Carl Van Roekel, President/Treasurer
7675 Airport Blvd.
Houston, TX 77061

Re: Vermeer Sales of Texas

Ruth Van Roekel, Vice President
7675 Airport Blvd.
Houston, TX 77061

Re: Vermeer Sales of Texas

Terry Vickers, Chief Executive Officer
104 Greystone Dr.
Carrollton, GA 30116-5104

Re: Vickers & Associates, Inc.

Debbie Vickers, Vice-President
104 Greystone Dr.
Carrollton, GA 30116-5104

Re: Vickers & Associates, Inc.

James Vickers, President
104 Greystone Dr.
Carrollton, GA 30116-5104

Re: Vickers & Associates, Inc.

Victor Almaguer
1712 East Riverside
Austin, TX 78741

Re: Vic's Tire Service

Jeffrey P. Wasserman, Esq.
Ciconte, Roseman & Wasserman
1300 King Street
Wilmington, DE 19801

Re: Viking Oil

Gerardo I. Solarte, President
2201 S.W. 14th Street
Fort Lauderdale, FL 33312

Re: The Voltech Company

Mr. Wayne Miller
P.O. Box 491
Pine Valley, CA

Re: Wayne Miller's Mobile Tire, Inc.

Randy Wendel
119 Sleepy Hollow Drive
Lake Jackson, TX 77566

Re: Wendel, Randy

Attn: Richard Dufault, President
5 Cold Spring Dr.
Grafton, MA 01519

Re: Worcester Truck Body Inc

Attn: Doris Dufault, Treasurer
5 Cold Spring Dr.
Grafton, MA 01519

Re: Worcester Truck Body Inc

William Sharp, President
Richard Sharp, VP Finance
323 SW Cutoff
Worcester, MA 01604-2713

Re: Worcester Truck Body Inc

Attn: Bernard E. Brooks
4800 Sugar Grove Blvd., Suite 610
Stafford, TX 77477

Re: World Wide Welding & Press, Inc.